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6 Case 3:06-cr-00506-MHP Document 11 Filed 10/26/2006 Page 1 of 2

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) No. CR-06-0506 MHP
12 Plaintiff,) STIPULATION AND [PROPOSED]
13 v.) PROTECTIVE ORDER
14 SALVADOR RODRIGUEZ,)
15 Defendant.)

16
17 Defendant Salvador Rodriguez stands accused by indictment of being a felon in
18 possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). The government's evidence in the
19 case includes a taped statement supplied by a purported eyewitness. The government believes
20 that the tape cannot be redacted in such a way as to protect the witness's privacy while still
21 conveying the substance of the witness's observations.

22 The parties agree that review of the tape by defense counsel may facilitate settlement
23 negotiations. As such, the government is prepared to produce a copy of the tape to defense
24 counsel subject to a protective order concerning its use at this stage of the proceedings. Defense
25 counsel is willing to abide by the conditions of a protective order under the circumstances of this
26 particular case.

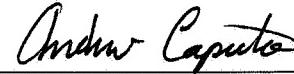
1 Accordingly, the parties agree and stipulate that the government shall produce an exact
2 copy of the witness's taped statement to defense counsel forthwith. Defense counsel agrees that
3 defense counsel and defense counsel's representatives at the Federal Public Defender's Office
4 will not produce the tape or any copy of the tape to the defendant; will not review the tape in the
5 defendant's presence; and will not reveal the identity of the witness to the defendant or any of
6 defendant's family members or associates without the advance consent of the government.

7 **IT IS SO STIPULATED.**

8 Dated: 10/26/06


BARRY J. PORTMAN
Federal Public Defender
JOSH COHEN
Assistant Federal Public Defender

11 Dated: October 25, 2006


KEVIN V. RYAN
United States Attorney
ANDREW CAPUTO
Assistant United States Attorney

15 **ORDER**

16 Accordingly, and for good cause shown, the protective order described above is hereby
17 imposed and shall remain in effect until further notice.

18 **IT IS SO ORDERED.**

19 Dated: 10/27/06


MARILYN HALL PATEL
UNITED STATES DISTRICT JUDGE